



Department of Planning & Community & Economic Development

## Planning Division

Heather Stouder, Director

126 S. Hamilton Street  
P.O. Box 2985  
Madison, Wisconsin 53701-2985  
Phone: (608) 266-4635  
Fax (608) 267-8739  
[www.cityofmadison.com](http://www.cityofmadison.com)

April 4, 2018

Amanda Funk  
Funk Factory Geuzeria  
1602 Gilson Street  
Madison, WI 53715

RE: Legistar #50821; Accela ID: 'LNDUSE-2018-000022' -- Approval of a Conditional Use to establish an outdoor eating area for a tasting room for a brewery on a property zoned TE (Traditional Employment District) at 1602 Gilson Street.

Dear Ms. Funk:

At its April 2, 2018 meeting, the Plan Commission, meeting in regular session, found the standards met and approved your conditional use request to establish an outdoor eating area for a tasting room for a brewery at **1602 Gilson Street**, subject to the conditions below. In order to receive final approval of the conditional use, and for any permits to be issued for your project, the following conditions shall be met:

**Please contact Brenda Stanley of the Engineering Division at (608) 261-9127 if you have any questions regarding the following item:**

1. The applicant shall submit, prior to plan sign-off but after all revisions have been completed, digital PDF files to the Engineering Division. Email PDF file transmissions are preferred to: [bstanley@cityofmadison.com](mailto:bstanley@cityofmadison.com) (East) or [troester@cityofmadison.com](mailto:troester@cityofmadison.com) (West). The digital copies shall be to scale, and shall have a scale bar on the plan set. (POLICY and MGO 37.09(2)) PDF submittals shall contain the following information:
  - a. Building Footprints
  - b. Internal Walkway Areas
  - c. Internal Site Parking Areas
  - d. Other Miscellaneous Impervious Areas (i.e. gravel, crushed stone, bituminous/asphalt, concrete, etc.)
  - e. Right-of-Way lines (public and private)
  - f. Lot lines or parcel lines if unplatted
  - g. Lot numbers or the words unplatted
  - h. Lot/Plat dimensions
  - i. Street names
  - j. Stormwater Management Facilities
  - k. Detail drawings associated with Stormwater Management Facilities (including if applicable planting plans).

**Please contact Jeffery Quamme of the Engineering Division – Mapping Section at (608) 266-4097 if you have any questions regarding the following item:**

2. The pending Certified Survey Map application for this property shall be completed and recorded with the Dane County Register of Deeds (ROD) prior to issuance of any building permits for new construction. When the recorded CSM image is available from the ROD, the Assessor's Office can then create the new Address-Parcel- Owner (APO) data in GEO so that the Accela system can upload this data and permit issuance made available for this new land record.

**Please contact Sean Malloy of the Traffic Engineering Division at (608) 266-5987 if you have any questions regarding the following five (5) items:**

3. Due to changes in site operation, the applicant shall work with Traffic Engineering to determine if the existing entrances are functioning as intended and close one, if not two access points to Gilson Street.
4. Per MGO 10.08 - all off-street parking facilities shall be improved with bituminous or concrete pavement and designed so as to prevent encroachment onto adjacent land areas: secure all gravel areas with fencing or note as landscaping.
5. Secure patio area. If the applicant intends to have an outdoor seating area, the applicant shall secure the outdoor seating area from the Right of Way with a continuous fence.
6. The applicant shall submit one contiguous plan showing proposed conditions and one contiguous plan showing existing conditions for approval. The plan drawings shall be scaled to 1" = 20' and include the following, when applicable: existing and proposed property lines; parcel addresses; all easements; pavement markings; signing; building placement; items in the terrace such as signs, street light poles, hydrants; surface types such as asphalt, concrete, grass, sidewalk; driveway approaches, including those adjacent to and across street from the project lot location; parking stall dimensions, including two (2) feet of vehicle overhang; drive aisle dimensions; semitrailer movement and vehicle routes; dimensions of radii; and percent of slope.
7. All parking facility design shall conform to MGO standards, as set in section 10.08(6).

**Please contact Jenny Kirchgatter, the Assistant zoning Administrator at (608) 266-4429 if you have any questions regarding the following ten (10) items:**

8. The areas labeled "Existing Parking" have not been approved for parking. Remove the "Existing Parking" labels from the site plan and discontinue parking in these areas or obtain approval for the parking lots. Per Section 28.141(8) Parking Design and Location, parking for automobiles and other motor vehicles shall be designed according to the requirements of Sec. 10.08, MGO.
9. Provide a calculation and plan detail for lot coverage with the final submittal. The lot coverage maximum is 85%. Lot coverage is defined as the total area of all buildings, measured at grade, all accessory structures including pools, patios, etc., and all paved areas as a percentage of the total area of the lot, with the following exceptions: sidewalks or paved paths no wider than five (5) feet, pervious pavement, green roofs and decks. Note that gravel areas are impervious and contribute to the lot coverage maximum. Provide details of the permeable front patio area.

10. Bicycle parking shall comply with the requirements of Sections 28.141(4)(g) and 28.141(11). Provide a minimum of five (5) short-term bicycle parking stalls located in a convenient and visible area on a paved or impervious surface. Bicycle parking shall be located at least as close as the closest non-accessible automobile parking and within one hundred (100) feet of a principal entrance. Note: A bicycle stall is a minimum of two (2) feet by six (6) feet with a five (5) foot wide access area. Provide a detail of the proposed bike rack.
11. Submit a landscape plan and landscape worksheet stamped by the registered landscape architect. Per Section 28.142(3) Landscape Plan and Design Standards, landscape plans for zoning lots greater than ten thousand (10,000) square feet in size must be prepared by a registered landscape architect.
12. Screening is required adjacent the Zoning district boundary along the west property line. Screening shall be provided along side and rear property boundaries between commercial/ mixed-use districts and residential districts. Screening shall consist of a solid wall, solid fence, or hedge with year-round foliage, between six (6) and eight (8) feet in height. Submit a detail of the screening fence with the final plans.
13. Identify the refuse disposal area on the site plan. All developments, except single family and two family developments, shall provide a refuse disposal area. If the refuse disposal area is located outside the building, it shall be screened on four (4) sides (including a gate for access) by a solid, commercial-grade wood fence, wall, or equivalent material with a minimum height of six (6) feet and not greater than eight (8) feet. Submit a detail of the trash enclosure if provided outside the building.
14. Provide a detail of the fence enclosing the outdoor eating area located on the east side of the building.
15. The outdoor eating areas shall meet applicable building/fire codes. The capacity shall be established for the outdoor eating areas. Occupancy is established by the Building Inspection Unit. Contact Building Inspection staff at (608) 266-4559 to help facilitate this process.
16. Verify whether exterior lighting will be provided for the outdoor patio areas. If exterior lighting is provided, it must comply with City of Madison General Ordinances Section 10.085 outdoor lighting standards. If exterior site lighting is provided, submit an exterior lighting plan and fixture cut sheets with the final plan submittal.
17. Per Section 28.186(4)(b), the property owner or operator is required to bring the property into compliance with all elements of the approved site plans by the date established by the Zoning Administrator as part of the site and building plan approval. Work with Zoning staff to establish a final site compliance date.

**Please contact Bill Sullivan of the Fire Department at (608) 261-9658 if you have any questions regarding the following item:**

18. The proposed outdoor fire pit shall comply with IFC307.4.3. The fire pit shall be located a minimum 15-ft from of a structure or combustible material and the pit shall have a spark arrestor in place at all times while in use. Contact MFD prior to purchasing materials. Note: This is based on an approved occupant load of 35 classifying the space as a Group B Occupancy. MFD would need to reevaluate the allowance of a fire pit if the Occupancy changed to an Assembly if the occupant load reaches 50 persons.

**Please contact Kathleen Kane of the Parks Division at (608) 261-9671 if you have any questions regarding the following two (2) items:**

19. Existing street trees shall be protected. Please include the following note on the site plan: Contractor shall install tree protection fencing in the area between the curb and sidewalk and extend it at least 5 feet from both sides of the tree along the length of the terrace. No excavation is permitted within 5 feet of the outside edge of a tree trunk. If excavation within 5 feet of any tree is necessary, contractor shall contact City Forestry (266-4816) prior to excavation to assess the impact to the tree and root system. Tree pruning shall be coordinated with City Forestry prior to the start of construction. Tree protection specifications can be found in section 107.13 of City of Madison Standard Specifications for Public Works Construction - <http://www.cityofmadison.com/business/pw/documents/StdSpecs/2018/Part1.pdf>. Any tree removals that are required for construction after the development plan is approved will require at least a 72 hour wait period before a tree removal permit can be issued by Forestry, to notify the Alder of the change in the tree plan.
20. An existing inventory of trees (location, species, & DBH) and any tree removal plans (in PDF format) shall be submitted to the plans and Brad Hofmann – [bhofmann@cityofmadison.com](mailto:bhofmann@cityofmadison.com) or 266-4816. All proposed street tree removals within the right of way shall be reviewed by City Forestry. Approval and permitting of street tree removals shall be obtained from the City Forester and/or the Board of Public Works prior to the approval of the site plan.

**Please contact my office at (608) 243-0554 if you have any questions regarding the following twelve (12) items:**

21. As part of this approval, the applicant is annually limited to four (4) event dates where outdoor amplified sound may be used, and the rear patio may be open until 10:00 pm. The applicant shall submit the date for each outdoor amplified event to the Zoning Administrator 45 days in advance of the scheduled event. For this calendar year (2018), the applicant shall submit the date of the first outdoor amplified event to the Zoning Administrator two weeks before the scheduled event. The applicant shall notify both the District 13 Alder and the District 14 Alder of these events and the Alders shall send out that information to the neighborhood association. If the applicant chooses to host more than four amplified events per year, an alteration to this conditional use will be required.
22. There shall be no amplified sound, including, but not limited to television, ambient music or musical performances, in the outdoor eating areas located at the brewery and tasting room addressed 1602 Gilson Street, except during the four permitted amplified events.
23. The hours of operation for the outdoor eating areas located at 1602 Gilson Street shall be Monday through Sunday from 10:00 am – 9:00 pm. Future modifications to the hours of operation of the outdoor eating area may be requested by the applicant in the future as a minor alteration of the conditional use following a recommendation by the district alder.
24. The applicant shall submit a more accurate and scaled seating plan showing exactly where the tables will be located on each patio. As part of this seating plan, the applicant shall describe what kind of tables they will use and how many seats will be provided. Staff also requests a more detailed

description of the children's play area and outdoor performance platform, including any special features and materials.

25. The applicant shall install a solid fence between six (6) and eight (8) feet tall around the entire perimeter of the rear patio. The fence between the properties located at 1602 Gilson Street and 1610 Gilson Street shall be eight (8) feet tall. The applicant shall use wood or equivalent materials and provide further details to Staff for final sign-off.
26. There shall be no wood burning fire pit at any of the outdoor eating areas located at 1602 Gilson Street.
27. The applicant shall provide details on any screening fence proposed for the front patio, for staff approval. This shall not be a six (6) foot solid fence abutting the sidewalk.
28. The applicant shall obtain an entertainment license, if applicable to their liquor license requirements.
29. The applicant shall have the Certified Survey Map (CSM) recorded before final sign-off.
30. This approval is for the site plan most recently submitted by the applicant with any adjustments as required by City regulations.
31. The applicants shall explore alternative off street parking spots within the neighborhood.
32. The applicant shall work with City Staff and the District Alder for the placement of the outdoor speakers to have the least impact on residents.

**Specific questions regarding the comments or conditions contained in this letter should be directed to the commenting agency.**

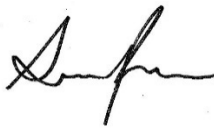
**Please now follow the procedures listed below for obtaining your conditional use:**

1. Please revise your plans per the above conditions and submit **eight (8) copies** of a complete, fully dimensioned and scaled plan set to the Zoning Administrator for final review and comment. Also be sure to include any additional materials requested by these departments for their approval prior to sign off. The final site plan shall be accompanied by the appropriate site plan review application and fee pursuant to Section 28.206 of the Zoning Code, and any other documentation requested herein with the Zoning Administrator, 126 S. Hamilton Street. **This submittal shall all also include one complete digital plan set in PDF format.** The sets of final revised plans or documents will be circulated by the Zoning staff to the City department staff listed above for their final approval.
2. This property is not in a wellhead protection district. All wells located on this property shall be abandoned if no valid well operation permit has been obtained from the Madison Water Utility.
3. This letter shall be signed by the applicant to acknowledge the conditions of approval and returned to the Zoning Administrator when requesting conditional use approval.

4. The approval is valid for one (1) year from the date of the Plan Commission approval. During this time, the applicant must either lawfully commence the use or obtain a building permit and begin erecting the building. If the applicant obtains a valid building permit, construction must commence within six (6) months of the date of issuance. The building permit shall not be renewed unless construction has commenced as is being diligently prosecuted.
5. Any alteration in plans for a proposed alternative use shall require Plan Commission approval, except for minor alterations. The Zoning Administrator may issue permits for minor alterations or additions which are approved by the Director of Planning and Community and Economic Development and are compatible with the concept approved by the City Plan Commission and the conditional use approval standards.
6. The Plan Commission retains continuing jurisdiction over all conditional uses for the purpose of resolving complaints against all previously approved conditional uses.

If you have any questions regarding obtaining your conditional use or building permits, please contact the Zoning Administrator at (608) 266-4551. If you have any questions or if I may be of any further assistance, please do not hesitate to contact my office at (608) 243-0554.

Sincerely,



Sydney Prusak  
 Planner

I hereby acknowledge that I understand and will comply with the above conditions of approval for the conditional use permit.

\_\_\_\_\_  
*Signature of Applicant*

\_\_\_\_\_  
*Signature of Property Owner (if not the applicant)*

cc: Brenda Stanley, Engineering  
 Jeffery Quamme, Engineering Mapping  
 Sean Malloy, Traffic Engineering  
 Jenny Kirchgatter, Zoning  
 Bill Sullivan, Fire Department  
 Kathleen Kane, Parks Division

For Official Use Only, Re: Final Plan Routing			
<input checked="" type="checkbox"/>	Planning Div. (Prusak)	<input checked="" type="checkbox"/>	Engineering Mapping Sec.
<input checked="" type="checkbox"/>	Zoning Administrator	<input checked="" type="checkbox"/>	Parks Division
<input checked="" type="checkbox"/>	City Engineering	<input type="checkbox"/>	Urban Design Commission
<input checked="" type="checkbox"/>	Traffic Engineering	<input type="checkbox"/>	Recycling Coord. (R&R)
<input checked="" type="checkbox"/>	Fire Department	<input type="checkbox"/>	Metro Transit
<input type="checkbox"/>	Water Utility		